



# United States Department of the Interior

## OFFICE OF HEARINGS AND APPEALS

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### **Standing Order on Electronic Transmission<sup>1</sup>**

The Director of the Office of Hearings and Appeals (OHA) hereby issues the following Standing Order on Electronic Transmission.<sup>2</sup>

This Standing Order provides the procedures for electronic transmission of documents in proceedings and appeals before OHA's Departmental Cases Hearings Division, Interior Board of Indian Appeals, Interior Board of Land Appeals, and Office of the Director, as well as proceedings involving the White Earth Reservation Land Settlement Act (WELSA).

Under OHA's regulations effective July 21, 2025<sup>3</sup>, some parties are required to file electronically in proceedings before OHA to satisfy filing and service requirements under 43 C.F.R. part 4. Specifically, any Federal, State, or local agency and any attorney representing a person or entity must file electronically using Bison File & Serve (BFS), OHA's electronic filing and docket management system, unless otherwise specified in this Standing Order or when the OHA unit where the filing is required has allowed non-electronic filing for good cause. Individuals and entities who appear before these OHA units without representation by an attorney are encouraged to use BFS under the terms set out in this Standing Order, but they are not required to do so and may still use other methods of filing and serving documents (for example, mail or commercial courier) as authorized in 43 C.F.R. part 4 or other applicable law.

#### **What is BFS?**

BFS enables users to electronically file (eFile) documents with OHA and to electronically serve documents on other users, including Departmental bureaus and offices. For example, when regulations require a new case to be filed directly with OHA, external users will be able to file through BFS and select the Departmental bureaus and offices, including the Office of the Solicitor, that they are required to serve. The system will send to the selected bureaus and offices an email notification that the case has been filed, along with a copy of the case-initiating documents being served. When regulations require a new case to be filed with a bureau or office instead of OHA, that bureau or office must transmit the case to OHA through BFS. After a case is initiated in BFS, the initiating party,

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<sup>1</sup> This Standing Order supersedes all prior Standing Orders on Electronic Transmission issued by the OHA Director or individual OHA units.

<sup>2</sup> 43 C.F.R. § 4.5(b) (recognizing the Director can "issue Standing Orders to convey current information to parties and the public," including "OHA Standing Orders on Electronic Transmission to convey information related to electronic transmission, including filing and service").

<sup>3</sup> Practices Before the Department of the Interior, 91 Fed. Reg. 29911 (May 21, 2026) (codified at 43 C.F.R. pt. 4).

the Office of the Solicitor, all bureaus and offices that are interested parties to the case (IBIA and DIR only), and each eFiler who is registered with BFS and is approved to join the case in some role will also be served automatically through a BFS notification when additional documents are filed electronically in that case. They will also be served electronically through a BFS notification when any orders or other documents are issued by OHA in that case. Only registered users have access to the cases they have initiated or joined. There is no public access through BFS to filings in this system.<sup>4</sup>

Filers who do not use BFS will file, serve, and receive documents outside of BFS. Also, an eFiler who uses BFS to eFile a document but is not joined to the case, such as a person seeking to become a party by filing a motion to intervene, will not receive documents through BFS unless and until they are joined to the case. OHA units may send documents electronically by email to persons or entities who have not been joined to a case.

Please note that this Standing Order only applies to the use of BFS and the electronic transmission of documents in a new or pending case before an OHA unit; it does not apply to filings that are required to be made at another Departmental bureau or office. Please consult the bureau or office directly to ask whether they permit documents to be submitted to them electronically.

Section I of this Standing Order provides information about BFS that applies to all OHA Units, and Section II provides information that applies to individual Units. You may use the links below to navigate directly to specific portions of the Standing Order.

[General Provisions for All OHA Units](#)

[Departmental Cases Hearings Division \(DCHD\)](#)

[Interior Board of Indian Appeals \(IBIA\)](#)

[Interior Board of Land Appeals \(IBLA\)](#)

[Office of the Director \(DIR\)](#)

TERMS AND CONDITIONS FOR USE OF BISON FILE AND SERVE

The Director may revoke or amend this order at any time. This order creates no vested rights in any person.

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<sup>4</sup> Automatic access to filings in cases before OHA is limited by Statement of Records Notice INTERIOR/OS-09 (80 FR 26291 (May 7, 2015); modification 86 FR 50156 (Sep. 7, 2021)) to individuals involved or otherwise identified in hearings and appeals proceedings. Any other individuals seeking access to filings in cases before OHA must comply with the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the Department of the Interior's FOIA regulations, 43 CFR Part 2.

## I. General Provisions for All OHA Units

Except as provided in Section II of this Standing Order, the provisions set out in Section I of this Standing Order apply to all electronic filings and transmissions made through BFS in proceedings under WELSA or before the following OHA units: (1) Departmental Cases Hearings Division (DCHD), (2) Interior Board of Indian Appeals (IBIA), (3) Interior Board of Land Appeals (IBLA), and (4) Office of the Director (DIR).

**Acceptable Document Formats and File Size.** BFS supports the following file types: PDF, DOC, DOCX, and JPEG. Except for JPEG files, all non-PDF documents will be converted to PDF by the eFiling system. ZIP files are not allowed except in limited circumstances applying only to DOI bureaus/offices (see BFS DOI User Guide for details). All supported documents (PDF, DOC, DOCX, and JPEG), except for ZIP files, will be electronically stamped in the top right-hand corner of the first page with a date of submission. Documents may not be filed with BFS if they are locked or password protected.

At case initiation, the maximum total submission size (i.e., the combined total file size of all documents or document parts submitted at one time) is 30 megabytes (MB). This submission size limitation ensures that case-initiating documents can be served as email attachments on any bureaus or offices selected for service. After case initiation, all documents except for administrative records are limited to 75 MB in size. If you need to file a document that is larger than the applicable limit, the document must be split into smaller parts. Records submitted through BFS should be uploaded in as few separate electronic parts as possible. Please consult the BFS User Guide for further instructions. Additional technical details on eFiling are provided on OHA's website in our BFS User Guides.

**Administrative Records.**<sup>5</sup> Unless unit-specific requirements provide otherwise, administrative records must be eFiled through BFS in PDF format (and, where necessary and appropriate, compressed into a ZIP file, as explained in the BFS DOI User Guide). The administrative record must include an index of its contents, and each page of the record should be labeled with a unique page number (i.e., the record must be Bates stamped). The administrative record should be formatted to be searchable (i.e., by using optical character recognition software), if practicable. The maximum total submission size (i.e., the combined total file size of all documents or document parts submitted at one time) for administrative records is 2 gigabytes (GB). Administrative records that exceed this submission size must be broken into separate submissions. Administrative records may be compressed into ZIP files to meet the submission size limitations. Any administrative records submitted in a ZIP file format must be accompanied by a transmittal memorandum that is not included in the ZIP file so that it can be electronically date-stamped to document receipt. Please consult the BFS DOI User Guide for further instructions.

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<sup>5</sup> Administrative records include bureau, office, or agency decision records, probate records, and documents required by 43 C.F.R. § 4.351 to commence a WELSA heirship determination process (WELSA Commencement Materials).

**Authority to Regulate eFiling.** The OHA Director and any OHA judge may issue orders modifying these procedures for a specific filing or in a specific case, including requiring or allowing any document or all documents in a case to be filed or served using methods other than BFS, including non-electronic methods. The OHA Director and any OHA judge may order anyone who misuses BFS or fails to comply with the regulations and standing orders governing the use of BFS to cease eFiling.

**eFilings with Confidential or Privileged Material.** If you are eFiling a document that contains confidential or privileged information, you must consult the BFS User Guide for eFiling Confidential or Privileged Material (see also Appendix 3 of the BFS DOI and Non-DOI User Guides) for instructions about how to do so properly. If an eFiler does not follow the procedures for limiting disclosure of confidential information under 43 C.F.R. § 4.31, or the procedures for filing privileged material under seal, then they risk exposing that information to other parties to the case.

**eFilings Must Be Timely.** Electronic filings are timely if transmitted to the appropriate OHA unit by 11:59:59 p.m. in the local time zone of that unit on the due date: Mountain Time for DCHD, including WELSA, and Eastern Time for IBIA, IBLA, and DIR. Any document transmitted after 11:59:59 p.m. will be deemed filed the next business day.

eFilers bear the sole responsibility for ensuring that a filing is timely made and assume the risk of any technical problems that may prevent them from eFiling, unless those technical problems are solely attributable to a malfunction of BFS. Although BFS is designed to receive filings at any time, parties are strongly encouraged to file documents well before the filing deadline and during normal business hours in case they encounter technical problems. If an eFiler waits until after the close of business to try to eFile a document and encounters technical problems, no one will be available to help. If a party is unable to eFile a document because of their own technical problems (including, for example, problems with a user's internet service provider, hardware, or software), or because of their own failure to understand or follow OHA's eFiling instructions, those problems will not excuse an untimely filing. If an eFiler— including those required to eFile—is unable to eFile a document because of such technical problems, they must use an alternate method to file that document on time. Sending a document by electronic means other than through BFS does not constitute timely electronic filing unless otherwise specified.

If an eFiler is prevented from timely eFiling a document solely due to a BFS malfunction, then the document may be filed by email. This is a limited exception to the eFiling requirements and will be permitted only if the eFiler meets the following two conditions:

- (1) The eFiler documents the BFS malfunction by providing the BFS Helpdesk ([bfshelpdesk@oha.doi.gov](mailto:bfshelpdesk@oha.doi.gov)) with a screenshot or a photo of any error messages the eFiler encountered; and
- (2) The eFiler emails the document to the appropriate OHA unit by 11:59:59 p.m. on the due date (Mountain Time for DCHD, including WELSA; Eastern Time for IBIA, IBLA, and DIR). Email addresses are as follows:

- DCHD: [dchd@oha.doi.gov](mailto:dchd@oha.doi.gov)
- WELSA: [dchdwelsa@oha.doi.gov](mailto:dchdwelsa@oha.doi.gov)
- IBIA: [ibia@oha.doi.gov](mailto:ibia@oha.doi.gov)
- IBLA: [ibla@oha.doi.gov](mailto:ibla@oha.doi.gov)
- DIR: [dir@oha.doi.gov](mailto:dir@oha.doi.gov)

Please note that some filing deadlines are imposed by statute or regulation and are therefore jurisdictional and must be strictly construed; in such cases, untimely filings cannot be excused. Again, parties who use BFS are strongly encouraged to eFile documents well before the filing deadline in case they encounter problems and need to file by other means.

**Reporting BFS Technical Problems.** To report technical problems with BFS, please email [bfshelpdesk@oha.doi.gov](mailto:bfshelpdesk@oha.doi.gov), or call 1-866-367-1272, and select option 7.

**eFiling in Consolidated Cases.** When filing a document in a consolidated case, the document must be filed in the consolidated parent case. Please consult the BFS DOI User Guide or the BFS Non-DOI User Guide, as applicable, for instructions.

**Obligation to Maintain Current BFS Email Address.** eFilers must notify OHA of any change to their email address. Failure to maintain a current BFS email address could prevent the eFiler from receiving filings, orders, or decisions. This obligation is in addition to the requirement in 43 C.F.R. § 4.22 to provide prompt notice of any changes to mailing addresses.

**Official Business.** BFS may only be used for official agency business. Unauthorized attempts to use BFS are strictly prohibited and may be subject to criminal prosecution, as appropriate. We take precautions to maintain the security, confidentiality, and integrity of the information that we collect on BFS, including the use of various security technologies. OHA may revoke eFiling privileges for improper use.

**Personally Identifiable or Confidential Business Information.** eFilers should not file documents through BFS that contain personally identifiable information (PII) or confidential business information (CBI) that is not relevant to the matter at issue. eFilers bear sole responsibility for redacting any such PII or CBI contained in the documents they file. PII includes an individual's name in combination with one or more of the following: date and/or place of birth; Social Security number; mother's maiden name; driver's license number, passport number, or other government-issued unique identification number (including tribal enrollment or identification number); financial account number; credit or debit card number; the names of minor children; and biometric data. If a number that is PII must be included in a document (for example, a Social Security number), only the last four digits should be used.

If an eFiler believes that they must eFile a document that contains unredacted PII or CBI and seeks to maintain the confidentiality that applies to that document, that document must be filed under seal. For a detailed explanation of how to eFile documents under seal, please refer to the BFS User Guide for eFiling Confidential or Privileged Material (see also Appendix 3 of the BFS DOI and Non-DOI User Guides) on the OHA website.

**Service of eFilings; Consent to Electronic Service.** Bureaus and Offices of the Department of the Interior, including the Office of the Solicitor, are deemed to consent to electronic service of eFiled documents through BFS. Copies of case-initiating filings (e.g., Notices of Appeal, Requests for Hearing) may be served at the time an eFiler initiates a matter in BFS by selecting the appropriate Bureau or Office from the drop-down menus on the eFiler case page. eFilers can identify the appropriate Office of the Solicitor to serve by reviewing the OHA Standing Order on Contact Information, available at [www.doi.gov/oha/oha-standing-orders](http://www.doi.gov/oha/oha-standing-orders). Service of case-initiating documents on Bureaus or Offices selected by an eFiler from the drop-down menus on the eFiler case page will occur automatically by a BFS system-generated email.

When a case-initiating document is eFiled through BFS, BFS will send all Departmental bureaus and offices that the initiating party selected for service an email notification attaching the case-initiating documents (except those eFiled under claim of confidentiality or privilege). Thereafter, when any other document is eFiled through BFS, BFS will send to all other BFS users who were joined to the case in some capacity an email notification without any attachments. These email notices constitute formal service and delivery of the eFiled documents. eFilers must ensure that emails from BFS are not blocked by “spam” filters and should designate [FD-GCM-Support@micropact.com](mailto:FD-GCM-Support@micropact.com) as an approved sender in their email software. eFilers are also responsible for monitoring case activity regularly through the BFS website to ensure that they have received all case-related documents.

When service of a document is required to be made on any person or entity that is not registered with BFS or is registered with BFS but has not been joined to the case in some capacity (such as service of a response to a motion to intervene on the person or entity who filed the motion), the eFiler must serve a copy of that document outside of BFS, for example, by mail or commercial courier, or by email if the person or entity to be served has consented to service by email.

If any non-DOI person or entity who did not initiate the case wishes to be served with eFilings for a case electronically through BFS, they must (1) register with BFS, (2) request through BFS to join the case in some capacity (for example, as amicus curiae), and (3) receive approval from the OHA unit to join the case. Any non-DOI person or entity who registers with BFS consents to electronic service of eFilings using BFS and agrees that this service fulfills all regulatory obligations for the service of filed documents.

If a Departmental bureau or office wishes to be represented in the case, the representative must register with BFS and request through BFS to join the case. Once a bureau or office representative is joined, service on the bureau or office will be through the representative. The OHA unit may also elect for BFS to continue issuing notices of eFilings to the bureau or office.

**Signatures.** Electronic documents filed by an eFiler are deemed to be signed by the eFiler for the purposes of any regulation that requires a signature and bind the signatory as if the document was physically signed and filed.

**Transmission of OHA-Issued Documents; Consent to Electronic Transmission.** Consent to receive service of decisions, orders, and documents through BFS is required to register as an eFiler. When an OHA unit issues an order, decision, or other document through BFS, BFS will send an email notification to all persons and entities who initiated or have been joined to the case. That email notice constitutes formal transmission and delivery of the OHA-issued document. eFilers must ensure that emails from BFS are not blocked by “spam” filters and should designate [FD-GCM-Support@micropact.com](mailto:FD-GCM-Support@micropact.com) as an approved sender in their e-mail software. eFilers are also responsible for monitoring case activity regularly through the BFS website to ensure that they have received all case-related documents.

When transmission of an OHA-issued order or other document is required to be made on a person or entity that is not registered with BFS or is registered with BFS but has not been joined to the case in some capacity (such as transmittal of an order for clarification of a motion by the person or entity to intervene), OHA units may send that document by paper or electronically by email.

Bureaus and Offices of the Department of the Interior are deemed to consent to receiving OHA-issued orders or other documents by electronic transmission using BFS.

If a non-DOI person or entity wishes to receive OHA-issued orders or other documents for a case electronically through BFS, they must (1) register with BFS, (2) request through BFS to join the case in some capacity (for example, as amicus curiae), and (3) receive approval from the OHA unit to join the case.

## **II. Provisions Specific to Individual OHA Units**

The additional provisions set out here in Section II apply to the specific OHA units listed below.

### **Departmental Cases Hearings Division (DCHD)**

This subsection contains provisions governing proceedings before DCHD, including WELSA cases. The General Provisions for All OHA Units also apply to DCHD.

#### **New Case Filings:**

DCHD currently accepts eFiled documents through BFS for new cases initiated after March 5, 2025. Any Federal, State, or local agency and any attorney representing a person or entity in a DCHD proceeding will be required to eFile documents using BFS in all new cases. This eFiling requirement extends to case-initiating documents. Examples of case-initiating documents include: an Appeal, Complaint, Request for Hearing, Petition for Review, Application for Temporary Relief, Petition for a Stay, or WELSA Commencement Materials.

Any case-initiating documents that are required to be filed with DCHD by statute or regulation may be eFiled using BFS, and mandatory eFilers must use BFS. Any case-initiating documents that are required to be filed with the DOI bureau or office that issued the decision or notice must be filed and served at the location and in the manner required by that bureau or office. A bureau or office that receives case-initiating documents must forward them to DCHD through BFS in accordance with the BFS DOI User Guide at: <https://www.doi.gov/oha/bfs/support>.

### **Joining Pending Cases:**

Parties may electronically file and serve documents through BFS in a pending case by submitting a request to join the case. Instructions are provided in the BFS User Guides at: <https://www.doi.gov/oha/bfs/support>. Once DCHD approves a request to join, the party may eFile all documents through BFS.

If, for any reason, a pending case is not currently available for eFiling, DCHD will reject the join request and notify the requester in writing. Once the case becomes available for eFiling, DCHD will issue a written Notice to the parties with instructions on how to register for a BFS account, how to join the pending case, and any deadlines for taking the requisite actions. Until DCHD authorizes a party to join a pending case, the party may continue to file documents using DCHD's email address ([dchd@oha.doi.gov](mailto:dchd@oha.doi.gov)), U.S. mail, hand delivery, or commercial courier.

### **White Earth Reservation Land Settlement Act (WELSA):**

The WELSA Project Director's Office began transmitting WELSA Commencement Materials to DCHD via BFS on May 1, 2025. For matters transmitted to DCHD after May 1, 2025, parties in interest may elect to file documents electronically by submitting a request to join through BFS. Instructions are provided in the BFS User Guides at: <https://www.doi.gov/oha/bfs/support>. Once DCHD approves a request to join, the party in interest may eFile all documents through BFS. While parties in interest are encouraged to eFile using BFS in all matters transmitted to DCHD after May 1, 2025, they may also continue filing documents with the presiding officer using U.S. mail, hand delivery, or commercial courier.

Because WELSA Commencement Materials transmitted by the WELSA Project Director's Office to DCHD prior to May 1, 2025, were not submitted electronically, those matters are not eligible for eFiling in BFS.

### **DOI Bureau or Office Records:**

DOI bureaus and offices must file and serve their records through BFS, unless the bureau or office makes a written request and is granted permission to transmit the record through other electronic means or non-electronically. Any request to transmit a record outside of BFS must explain why it would be impracticable to transmit the record through BFS.

## Interior Board of Indian Appeals (IBIA)

This subsection contains provisions governing proceedings before the IBIA. The General Provisions for All OHA Units also apply to the IBIA except as provided below.

**A. Exceptions for Certain IBIA Cases (Cases Initiated Before March 5, 2025), Certain Filers (Agencies and Attorneys in Cases Initiated Before July 21, 2025), and Certain Filings (Case Initiating Documents in ISDA Cases and Osage Will Cases).** The General Provisions of Section I of this Standing Order do not apply to the following IBIA proceedings:

1. **Cases Initiated Before March 5, 2025.** No document may be filed through BFS in any case that was initiated at the IBIA before March 5, 2025 (the date of BFS's deployment). In those cases, parties must continue to file documents with the IBIA using U.S. mail, commercial courier, or hand delivery in accordance with 43 C.F.R. § 4.310, with limited exceptions for filing by email or facsimile (fax). Transmission of documents by email or fax may be authorized for particular documents, subject to the conditions below.
  - A party must first contact the IBIA at [ibia@oha.doi.gov](mailto:ibia@oha.doi.gov) and obtain permission to file the particular document electronically. The request must identify the document to be filed, the proposed means of electronic filing (email or fax), the justification for filing the document by electronic means, and how the party intends to serve the document on other interested parties. The IBIA will not entertain standing requests to file all documents in a case electronically. Any document filed electronically without permission will not be accepted.
  - The IBIA may grant permission to file a document by email or fax in extraordinary circumstances. Because documents filed with the IBIA by U.S. mail are filed as of the date of mailing, extraordinary circumstances do not include the fact that a filing is due that day.
  - Any email filing must be sent to [ibia@oha.doi.gov](mailto:ibia@oha.doi.gov) and should identify in the subject line the appeal by name and docket number if one has been assigned.
  - A filing that is authorized or required to be filed by email or fax in a case that was initiated before March 5, 2025, will be considered timely filed if it is transmitted to the IBIA by 11:59:59 p.m. Eastern Time on the due date. A document transmitted after 11:59:59 p.m. will be deemed filed the next business day.

In addition, a party may serve documents on another party by email or fax if the other party has given written consent to service by such means. Before a party requests authorization from the IBIA to file a particular document by email or fax, the party is encouraged to contact all other interested parties to seek their written consent to receive service of the document electronically. If any parties consent to receive service electronically, the certificate of service included with the document filed with the IBIA,

regardless of whether the document is filed electronically, must show the email address or fax number for each party served electronically.

2. **Agencies and Attorneys in Cases Initiated Before July 21, 2025.** Except for Department of the Interior bureaus and offices, the requirement in 43 C.F.R. § 4.310(b)(1) for a Federal, State, or local agency or an attorney representing a person or entity to file electronically is waived for any case initiated at the IBIA before July 21, 2025.
3. **Case Initiating Documents in ISDA Cases.** The regulations governing appeals taken under the Indian Self-Determination Act (ISDA) set out in 25 C.F.R. Parts 900 and 1000 do not authorize parties to file notices of appeal in ISDA cases electronically. Instead, those regulations require notices of appeal to be filed with the IBIA either by hand-delivery or by certified mail (return receipt requested). 25 C.F.R. § 900.158(b); *id.* § 1000.432 (incorporating the requirements of 25 C.F.R. § 900.158(b) by reference). For that reason, notices of appeal in ISDA cases may not be filed through BFS and the General Provisions of Section I of this Standing Order do not apply to those case initiating documents. This restriction only applies to the notice of appeal: Once such a notice of appeal has been filed and served according to those regulations, and the case has been opened in BFS, subsequent documents in the appeal may be filed electronically through BFS.
4. **Case Initiating Documents in Osage Will Cases.** The regulations at 25 C.F.R. Part 17 govern actions by the Osage Agency Superintendent (Superintendent), Bureau of Indian Affairs, to approve or disapprove the wills of deceased Osage Indians. Those regulations require a notice of intent to appeal the Superintendent's action to be filed with the Superintendent and that the appeal must be served on the Superintendent. 25 C.F.R. § 17.14(b). For that reason, case initiating documents in Osage Will cases may not be sent to the IBIA through BFS and the General Provisions of Section I of this Standing Order do not apply to those case initiating documents. Instead, the Superintendent is responsible for transmitting the entire record to the IBIA. *Id.* Once the Superintendent has transmitted the record through BFS as a "DOI User (Transmittal or Referral)" and the case has been opened in BFS, subsequent documents in the appeal may be filed electronically through BFS.

#### **B. Administrative Records, Probate Records, and WELSA Records.**

In administrative appeals within the scope of 43 C.F.R. § 4.330 that are initiated on or after March 5, 2025, the administrative record must be transmitted to the IBIA through BFS, unless the submitting bureau or office requests and is granted permission to transmit the record through other electronic means or non-electronically. If the administrative record is transmitted through BFS and it contains privileged or confidential documents, those documents must be uploaded separately to ensure that they are protected from inadvertent disclosure. Please consult Appendix 3 of the BFS DOI User Guide for detailed instructions on eFiling privileged or confidential documents. Any request to transmit an administrative record outside BFS must explain why it would be impracticable to transmit the record through BFS.

In probate appeals within the scope of 43 C.F.R. § 4.320 and WELSA appeals within the scope of 43 C.F.R. § 4.781 that are initiated on or after March 5, 2025, the probate record or WELSA determination process record may be transmitted to the IBIA either through BFS or non-electronically. Please consult Appendix 3 of the BFS DOI User Guide for further instructions on eFiling the record to ensure that the record is protected from inadvertent disclosure.

Each individual electronic file that is uploaded into BFS will appear in the docket card as a separate docket entry. To keep the docket card streamlined, administrative, probate, or WELSA records that are transmitted through BFS should be uploaded in as few separate electronic files (i.e., parts) as possible. The maximum file size for each electronic file is 2 GB, which should allow most records to be uploaded as one electronic file, including the certification of the record, the table of contents, and the record. Where necessary and appropriate, the files for the record may be compressed into a ZIP file accompanied by a separate transmittal memorandum that can be date stamped to document receipt, as explained in the BFS DOI User Guide. Records that are transmitted through BFS must be Bates stamped. Please consult the BFS DOI User Guide for further recommendations on the format of the record.

In all appeals that were initiated before March 5, 2025, the record must be transmitted to the IBIA through U.S. mail, commercial courier, or hand delivery; however, the record may be paper or electronic (such as a compact disc or thumb drive).

### **C. Appeal Instructions.**

The following or substantially similar appeal instructions should be included in decisions issued by Bureau of Indian Affairs officials under 25 C.F.R. Part 2 (except for ISDA decisions, Osage will decisions, and other decisions that require special appeal instructions or for which the decision is not appealable to the IBIA):

This decision may be appealed to the Interior Board of Indian Appeals (IBIA) in accordance with the regulations in 43 C.F.R. §§ 4.310–4.340 (copy enclosed). If you choose to appeal this decision, you or your attorney must sign and file a Notice of Appeal with the IBIA (“you” refers to any interested party).

Your Notice of Appeal must be filed within 30 days from the date you receive this decision.

If you are represented by an attorney, or if you are appealing on behalf of a Federal, state, or local agency, your Notice of Appeal must be electronically transmitted to the IBIA through its electronic filing system, Bison File & Serve, within the 30-day period.

If you are not represented by an attorney and are not appealing on behalf of an agency, your Notice of Appeal must, within the 30-day period, be either: (1) electronically transmitted to the IBIA through Bison File & Serve; (2) postmarked and mailed to the IBIA; or (3) delivered to the IBIA by hand delivery or commercial courier (e.g., FedEx or UPS).

Bison File & Serve is available at: <https://www.doi.gov/oha/bfs>

If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a Notice of Appeal.

Your Notice of Appeal should clearly identify the decision being appealed and, if possible, include a copy of the decision. You must file your Notice of Appeal with the IBIA. You must also send copies of your Notice of Appeal to (1) the Assistant Secretary – Indian Affairs; (2) the Associate Solicitor, Indian Affairs; (3) each interested party known to you; and (4) this office. Your Notice of Appeal filed with the IBIA must include a statement certifying that you have sent copies to these officials and interested parties. The statement must identify the officials and interested parties served (by name or title and address) and should specify the method of service (by mail, courier, hand delivery, Bison File & Serve, or other method with written consent).

Additional filing and service requirements are contained in the Office of Hearings and Appeals (OHA) Standing Order on Contact Information and the OHA Standing Order on Electronic Transmission, available at: [www.doi.gov/oha/oha-standing-orders](http://www.doi.gov/oha/oha-standing-orders)

The mailing addresses for the IBIA, Assistant Secretary – Indian Affairs, and Associate Solicitor, Indian Affairs are listed below.

Interior Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 1849 C Street NW, MS 7421, Washington, DC 20240

Assistant Secretary – Indian Affairs, U.S. Department of the Interior, 1849 C Street, NW, MS-4660, Washington, DC 20240

Associate Solicitor, Indian Affairs, Office of the Solicitor, U.S. Department of the Interior, 1849 C Street, NW, MS-6513, Washington, DC 20240

If you file a Notice of Appeal, the IBIA will notify you of further procedures. Appeals to the IBIA are governed by 43 C.F.R. Part 4.

## Interior Board of Land Appeals (IBLA)

This subsection contains additional provisions governing proceedings before the IBLA. The General Provisions for All OHA Units also apply to the IBLA.

### Case Initiation

1. **Appeals of Bureau of Land Management (BLM) and Office of Natural Resources (ONRR) decisions:** Persons or entities appealing BLM or ONRR decisions must file their appeals directly with the IBLA as required by 43 C.F.R. § 4.403. If BLM or ONRR receives a notice of appeal that should have been filed with the IBLA, we encourage that bureau or office to immediately direct the appellant to 43 C.F.R. § 4.403 for filing instructions.
2. **Appeals of Bureau of Ocean Energy Management (BOEM) and Bureau of Safety and Environmental Enforcement (BSEE) decisions:** Persons or entities appealing BOEM or BSEE decisions must file their appeals directly with BOEM or BSEE as required by that bureau's appeal regulations. The appellant may file a courtesy copy of the case-initiating documents with the IBLA through BFS. Directions for transmitting those documents are provided in the BFS Non-DOI User Guide available at <https://www.doi.gov/oha/bfs/support>.  
  
When BOEM or BSEE receives an appeal, it must forward the appeal to the IBLA through BFS unless the appellant has already initiated the appeal in BFS. Directions for forwarding case-initiating documents through BFS are provided in the DOI User Guide available at <https://www.doi.gov/oha/bfs/support>.
3. **Appeals of Office of Surface Management Reclamation and Enforcement (OSMRE) decisions:** To identify where to file appeals of OSMRE decisions, please see the regulations at 43 C.F.R. subpart L for the specific type of appeal.
4. **Appellants without attorneys:** Although we encourage all parties to use BFS, appellants who are not represented by an attorney may choose to file their notice of appeal and other documents with the IBLA by mail or commercial courier.

### Joining Pending Cases

Participants in cases that are pending at the IBLA may join the case in BFS by sending a "Join a Case" request through BFS. Instructions for sending a "Join a Case" request are provided in both the DOI and Non-DOI User Guides available at <https://www.doi.gov/oha/bfs/support>.

### Privileged or Confidential Documents

Privileged or confidential information must be uploaded to BFS as described in both the DOI and Non-DOI User Guides available at <https://www.doi.gov/oha/bfs/support> and must be accompanied by a separate request to limit its disclosure.

### **Bureau or Office Record Submission**

Bureaus and offices must file their records in BFS, unless the bureau or office requests and is granted permission to transmit the record through other electronic means or non-electronically. In a request to transmit a record outside of BFS, the bureau or office must explain why it would be impracticable to transmit the record through BFS.

We encourage bureaus and offices to work with pro se appellants to identify the most effective way to serve records. When a party appeals a DCHD decision, the Board may require the appropriate bureau or office to provide the record to the parties if it is not accessible in BFS.

## **Office of the Director (DIR)**

This subsection contains additional provisions governing proceedings before DIR. The General Provisions for All OHA Units also apply to DIR.

### **Case Initiation**

To initiate OHA review of an employee waiver request or waiver appeal in BFS, the Interior Business Center, Payroll Operations Division, and all Bureaus or Offices can submit an Administrative Report using the “DOI Transmittal Only” instructions in the DOI User Manual.

### **Joining Pending Cases**

Participants in cases that are pending at DIR may join the case in BFS by sending a “Join a Case” request through BFS. Instructions for sending a “Join a Case” request are provided in both the DOI and Non-DOI User Guides available at <https://www.doi.gov/oha/bfs/support>.

Requests to join a DIR case in BFS will only be granted in cases that were initiated on or after February 26, 2025.

### **Filings in Cases Initiated Prior to February 26, 2025**

Parties in DIR cases that were initiated prior to February 26, 2025, are encouraged to file by email to [dir@oha.doi.gov](mailto:dir@oha.doi.gov). A party may be served by email if that party agrees to email service in writing, and the serving party also files by email an appropriate certificate of service. OHA also encourages each party to provide a valid email address to facilitate the issuance of orders and decisions by email. The DIR will email orders and decisions to a party who has filed documents by email, or any other party who requests to receive orders and decisions by email.

So ordered.

Paul M. Kienzle III  
Acting Director, Office of Hearings and Appeals

**TERMS AND CONDITIONS FOR USE OF BISON FILE AND SERVE**  
**U.S. DEPARTMENT OF THE INTERIOR OFFICE OF HEARINGS AND APPEALS**

To register for an account with Bison File and Serve (BFS), the Office of Hearings and Appeals' (OHA) electronic filing (eFiling) system, you must accept and adhere to the terms and conditions of use listed below. Failure to accept and adhere to these terms and conditions could result in denial of access to BFS.

**Terms and Conditions of Use**

By registering for electronic filing with BFS, the User must

1. Provide accurate and complete information during the account registration process.
2. Keep all registration information current. The User is responsible for notifying OHA of any change in record address.
3. Use BFS only for legitimate case-related purposes. Any improper use may result in the revocation of eFiling privileges.
4. Be responsible for the security and use of the User's login information. Any eFiling or other interaction with BFS using a registered user's ID and password is deemed to be made by that User or with that User's express authorization.
5. Immediately notify OHA of any breach of the user's security, including any use of a User ID and password by an individual not expressly authorized to do so by the User.
6. Refrain from using any software that collects, intercepts, or otherwise mines information or content from BFS.
7. Ensure that the document to be filed has been screened for viruses and malware and is free of all viruses and malware prior to submission.